

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed November 16, 2005. At the time of the Office Action, Claims 1, 3-6, and 8-10 were pending in this Application. Claims 1, 3-6, and 8-10 were rejected. Claims 2 and 7 were previously cancelled without prejudice of disclaimer. Claims 1 and 6 have been amended to further define various features of Applicants' invention. Claims 4 and 5 have been cancelled without prejudice. Applicants respectfully request reconsideration and favorable action in this case.

Rejections under 35 U.S.C. § 102

Claims 1, 3, 6, and 8-10 stand rejected by the Examiner under 35 U.S.C. §102(b) as being anticipated by PCT Application Publication WO 99/30028 and also filed as U.S. Patent 6,257,506 by Karl Hofmann et al. ("Hofmann"). Claims 1, 3-6 and 8-10 stand rejected by the Examiner under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 4,470,548 issued to Shoji Ushimura ("Ushimura"). Claims 1, 3-6 and 8-10 stand rejected by the Examiner under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 4,982,901 issued to Volker Holzgrefe ("901-Holzgrefe"). Claims 1, 3-6 and 8-10 stand rejected by the Examiner under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 5,012,981 issued to Volker Holzgrefe et al. ("981-Holzgrefe"). Applicants traverse these rejections and submit that the cited references fail to disclose a nozzle needle seat as recited (with respect to Claims 1 and 3) or a gap from dampening the movement of the nozzle needle tip (with respect to Claims 6 and 8-10).

Claims 1 and 3

Independent Claim 1 recites, among other elements, a fuel injection valve that includes a nozzle needle with a nozzle needle seat that includes "a sealing edge provided between a nozzle needle tip and a frusto-conical body section of the nozzle needle ... the outer surfaces of the conical nozzle tip provided directly adjacent the frusto-conical body section of the nozzle needle and each having essentially the same included angle." For instance, the in the Hoffman reference, conical section 12 and frustoconical section 22 are adjacent, but are do not have the same included angle. See Hoffman Figure 1. In the

Ushimura reference, the nozzle needle tip 42 is offset from the frustoconical section 36 by a cylindrical section 38. See Figure 1. In both Holzgrefe references, the sealing seat 21 is offset from frustoconical section 20 by a cylindrical section. See figures 1 and 3.

Accordingly the cited references do not teach all of the elements of Claim 1 and, therefore, cannot anticipate Independent Claim 1 or Claim 3 that depends therefrom. Applicants request reconsideration, withdrawal of the §102 rejection and full allowance of Claims 1 and 3.

Claims 6 and 8-12

Independent Claim 6 recites a fuel injection valve that includes a nozzle body including a nozzle body seat and a nozzle needle with a nozzle needle seat, with a gap formed between the nozzle needle and the nozzle body “such that the gap is operable to hydraulically dampen movement of the nozzle needle seat toward the nozzle body seat.” However, the cited references do not disclose providing a gap designed for dampening of the motion between the nozzle body and the nozzle needle.

Accordingly, the cited references do not disclose all of the elements of Independent Claim 6. Applicants respectfully request reconsideration, withdrawal of the rejections under §102 and full allowance of Claims 6 and Claims 8-12 that depend therefrom.

CONCLUSION

Applicants have made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicants respectfully request reconsideration of the claims as amended.

Applicants believe there are no fees due at this time, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2545.

Respectfully submitted,
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